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FACSIMILE COVER SHEET

TO: Examiner K.Q. Dinh
USPTO - Art Unit 2155

FROM: Lock See Yu-Jahnes

RE: U.S. Application No. 09/698,255
Attorney Docket NO. 03560.002225.1

FAX NO.: 703-746-5510

DATE: March 26, 2003

NO. OF PAGES: 9
(including cover page)

TIME:

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March 26, 2003

VIA FACSIMILE

Examiner Khanh Q. Dinh
U.S. Patent and Trademark Office
Art Unit 2155

Re: U.S. Application No. 09/698,255
Our Ref.: 03560.002225.1

Dear Examiner Dinh:

In regard to the above-identified patent application, for which an Office Action issued on December 3, 2002, Applicant respectfully requests a personal interview to clarify certain aspects of the rejections and the cited prior art.

Currently, Claims 29-46 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,765,170 (Morikawa) in view of U.S. Patent 5,619,648 (Canale et al.). The reasoning underlying the rejections is given in section 3 of the Office Action.

Applicant proposes to amend the claims as shown in the attached set of Proposed Claims. In particular, Applicant proposes to change "output means" to --warning means-- in independent Claim 29 (the other independent claims have been similarly amended). In the Office Action, it is conceded that Morikawa does not disclose the output means of Claim 29, and it is alleged that Canale et al. remedies this deficiency of Morikawa. That is, it is asserted in the Office Action that the output means of Claim 29 is disclosed in Canale et al., because Canale et al. teaches "using email filter to reduce junk email and informing users 105(*n) via interactive user interface that the mail has arrived, see figs. 1 and 3, abstract, col.3 line 12 to col.4 line 34 and col.7 line 28 to col.8 line 56."

Applicant's undersigned representative would like to discuss Canale et al. with the Examiner, because a careful reading of Canale et al. reveals that the mail filter 109 filters mail based on a predetermined filtering model 113. If mail successfully passes

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through the mail filter 109, a user 105 is informed that mail has arrived. (See column 3, lines 44-48, which recites: "If recipient description 125 specifies a recipient which is of the same kind as that specified by user model 113, mail filter 109 adds mail item 119 to filtered mail 115 and informs user 105(n) via interactive user mail interface 117 that mail has arrived.") In other words, Canale et al. generates a "mail is here" type message upon the successful passage of an incoming message through the mail filter 109.

In contrast to the teachings of Canale et al., a feature of the independent claims of the present application is that a *warning* is issued after a judgment is made that e-mail *cannot* be received. The warning is issued before the e-mail is sent from the server in which it is stored. Thus, Applicant submits that merely adding the Canale et al. "mail is here" type message feature to Morikawa would not result in or even suggest the warning feature of the independent claims of the present application. More specifically, because Canale et al. only teaches alerting a user to the arrival of mail, using that feature in Morikawa would merely produce a Morikawa system having the added feature of alerting users upon successful passage of a mail through a filter, but would not include the feature of warning users when e-mail cannot be received.

Applicant respectfully submits that the "mail is here" type message of Canale et al. is not equivalent to or suggestive of a warning that e-mail *cannot* be received, as claimed in the present application. Further, Applicant respectfully submits that the proposed changes to the claims are intended to clarify the warning feature already present in the claims and, thus, would not require further search or consideration.

In view of the above, Applicant respectfully requests an interview between the Examiner and Applicant's undersigned representative.

Sincerely yours,



Lock See Yu-Jahnes
Reg. No. 38,667

Attachment: Proposed Claims

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